

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING  
DIVISION OF PROFESSIONAL REGULATION  
BOARD OF EXAMINERS OF PLUMBERS**

**1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room**

**Cranston, RI 02920**

**Tuesday, December 17, 2013**

**9:00am**

**In attendance:**

**Lionel Bernardino**

**Anthony Cardarelli**

**Jeffrey Hutton**

**Richard Mandarini**

**Michael Newman**

**Michael Raposa**

**William J. Riley, Chair**

**Larry Giorgi was not in attendance.**

**Also in attendance were E. Patrick Luther, Chief Plumbing Investigator; Mary Ellen McQueeney-Lally, DLT Legal Counsel; Joseph Degnan, Assistant Director; and John Shaw, Administrator.**

**1.) Call to Order: The meeting was called to order at 9:05am by**

**William J. Riley, Chair.**

**2.) Minutes of November 19, 2013 Meeting: Anthony Cardarelli made a motion to accept the minutes of the November 19, 2013 meeting; seconded by Michael Newman; and passed unanimously by the Board.**

**3.) Conflict of Interest jV Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Mary Ellen McQueeney-Lally, DLT Legal Counsel, reminds the Board that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recuse from hearing and voting on the matter. Legal Counsel is available for questions.**

**4.) Violation Appeal Hearings:**

**Tad Senn, Datop Sprinkler Specialists, Inc. jV Violation 4634:**

**Respondent does not appear. E. Patrick Luther, DLT Investigator, addressed the Board. This matter was addressed at the last meeting. Due to a procedural error at the hearing at the previous meeting, Legal Counsel recommended rehearing the matter again today. E. Patrick Luther, DLT Investigator, is sworn in for testimony. Mr. Luther reads the violation.**

**Date: 6/12/2013; Violation #: 4634**

**Name of Violator: Tad Senn, Datop Sprinkler Specialists Inc, 272 York Ave, Pawtucket, RI 02861**

**Location of Violation: Jefferson Rd, Harrisville, RI**

**Violation: RIGL 5-20-25 Registration of Plumbing and Irrigation apprentices**

**On May 13, 2013 Tad Senn, of Datop Sprinklers, did have Nelson R. Horton, III assisting in the start up of the irrigation system at the above location. Mr. Horton, III had an expired license (AI 000270 9-30-2011) at the time of inspection. This is a violation of the above referenced RI General Law.**

**As per RIGL 5-20-33 a \$950.00 fine was assessed along with Cease and Desist Order 4634.**

**E. Patrick Luther, Chief Plumbing Investigator, provides testimony. This matter was originally scheduled for a hearing on 8/19/13. There was no quorum on that date. Written arguments were submitted. Respondent was notified of today's hearing. Respondent does not appear. Another correspondence was submitted and provided to board members for review.**

**The original letter of written arguments was submitted as Exhibit A at the October 15, 2013 hearing. Board member, Lionel Bernardino,**

requests the letter dated December 3, 2013 be entered as evidence.  
The letter is marked Exhibit A at this hearing on December 17, 2013.

The Board questions Mr. Luther.

Lionel Bernardino made a motion to move forward with the violation.  
Richard Mandarinì seconds the motion. Motion passed unanimously.  
Hearing continued.

Anthony Cardarelli made a motion that Violation 4634 did occur;  
seconded by Michael Newman and passed unanimously by the  
Board.

Michael Newman made a motion that the fine of \$950.00 be upheld;  
seconded by Anthony Cardarelli and passed unanimously by the  
Board.

The recommendation will be forwarded to the Director's office.

There is discussion.

End of hearing.

5.) Apprentice Approvals / Apprentice Registrations:

„X Enea Desimone Roto Rooter MP 003473

**Michael Newman made a motion to accept the new apprentice approvals; seconded by Michael Raposa and passed unanimously.**

**New Business:**

**There is discussion. It is requested that, on January 21, 2014, the subcommittee meeting to discuss continuing education after the regular meeting.**

**The possibility of legislative change is discussed. Joseph Degnan, Assistant Director, informs board members of the process.**

**Discussion continued regarding continuing education and the rules and regulations for continuing education.**

**Joseph Degnan, Assistant Director, recommends the board provide a copy of their requested legislative change to be forwarded to the Department's Legislative Liaison, Assistant Director Matt Weldon.**

**Michael Newman made a motion that the board go forward with continuing education. The motion was seconded by Lionel Bernardino. All were in favor. There is discussion.**

**Legal Counsel advised the Board to place the matter on the agenda for the next meeting if they will be voting on the matter to allow for**

**public notice.**

**6.) Adjournment: Michael Newman made a motion to adjourn; seconded by Anthony Cardarelli. All were in favor. The meeting adjourned at approximately 9:38am.**